

INDIANA LEGISLATURE.

[Omissions and curtailments of this report for want of space in this column will appear in an appendix to Volume XXII of the *Brewer Legislative Reports*.]

IN SENATE.

FRIDAY, Feb. 20, 1885—10 a. m.

IMPRISONMENT IN APPEALED CASES.

On motion by Mr. FOWLER his bill, S. 185, was taken up, with a majority report unfavorable and a favorable minority report from a committee. He said: This bill provides where one is convicted of felony or misdemeanor where part of the judgment is imprisonment, he shall not be imprisoned while an appeal is pending. Great injustice is sometimes experienced under the present law. He ought to be permitted to give bail just as when first arrested. The object is to state of imprisonment until the appealed case is decided, in all cases where he can give bail. Every safeguard should be thrown around every man, so that no irreparable injury shall be done unjustly. I move the minority report be concurred in.

Mr. FOWLER: Great mischief may be brought about by legislation of this kind. The time has passed when it is necessary to throw safeguards around persons convicted of a crime. It is now very seldom the case an innocent man is pronounced guilty. If the bill fixed would in all cases secure the appearance of the parties called such a bill might be passed without much injustice. We want to throw more safeguards around society and not around the men who attack society.

Mr. CAMPBELL, of Hendricks: The committee agree with the purposes of the bill, but the practical effect would be the man able to give bail would escape, while the poor man would invariably have to go to jail. I move to lay the motion to concur in the minority report on the table.

The motion was agreed to.

NARCOTICS IN THE SCHOOLS.

The special order was taken up, being Mr. Foulke's bill (S. 69) requiring the study of physiology and hygiene, and the effects of alcoholic stimulants and narcotics, in the public schools, with a favorable majority report and a report recommending the bill in its present form to the bill—the committee were equally divided.

Mr. FOWLER moved concurrence in the first report. A bill like this has been asked for by petitions in large number—15,500 and over. Two years ago there were also numerous similar petitions, but they were utterly ignored at that time. The request is so reasonable, it hardly would become the Senate to refuse it. This measure is no interference with personal liberty. It is a thing which the taxpayers have a right to demand, that children shall be taught the effects of narcotics, which will tend to make them better citizens in after life. It has been ascertained by scientists that alcoholic stimulants increase the brain cells, and if used to excess, its evil effects are transmitted to posterity. Whenever there is a special inability to fall to special report, special efforts should be made to guard against it.

Mr. JOHNSON, of Tippecanoe, spoke in opposition to the bill.

Mr. RAHM saw no use in teaching temperance in the public schools. You can pass all legislative laws you please and there still will be drunkenness. We have Sunday schools, churches and families, and those are the places to teach temperance. I don't think discussion will effect the fate of the bill, and I move to lay the motion to concur on the table.

The motion was rejected by yeas 20, nays 26.

PENDING THE ROLL-CALL.

Mr. McINTOSH said: I am in favor of the principles of the bill, but I am opposed to the provisions of the bill. For the purpose of giving its friends a chance to amend it, I vote "no."

Mr. SHIPLEY said: I feel very largely instructed by my constituents to favor the bill before the Senate. I have received instructions to vote "no" on this question.

Mr. SMITH, of Jennings: I am not opposed to the principles of this bill if properly incorporated therein and if necessary, but I am of opinion that the bill is wholly unnecessary. There is no question as to whether it should be taught in the public schools now, and it is taught wherever any one desiring to teach it has the ability to teach it. Therefore, there being no necessity for the bill as I understand it, I vote "aye."

Mr. WEIR, in favor of the principles of this bill as provided in the first section. I am not one among those who believe that because the question of protection of protection has been made a political issue it is not proper to teach hygiene and the effects of alcoholic stimulants to the children attending the public schools. I believe instead of that it is a duty to teach it. Not that it will interfere with the rights of parents or the rights of their parents, but simply that they may learn what the effect is upon the human system. I know of no person who has been taught in this way. I have no apprehension that it will involve a political question. Therefore I vote "no."

The vote was then announced as above.

Mr. SCHLOSS moved to refer to a committee of seven.

Mr. WEIR moved to strike out Sections 2 and 3.

Mr. ADKISON: Nothing has been before the Senate on which the people have so favorably expressed themselves as on this subject. He opposed the motion to refer.

Mr. SMITH, of Jay, moved to strike out the enacting clause as a substitute for the pending motion.

Mr. DUNCAN, of Brown, was fully prepared to vote in opposition to the bill, but not opposed to teaching the effects of narcotics in the common schools. The bill is based upon the incorrect theory of what is now taught in the common schools. One of the right branches required to be taught is physiology, and the effect of alcoholic poisons is one branch of that study. So it is now fully provided for in the public schools. Twenty years in one of these books, used in seventy of the counties of the State, is devoted to the effect of alcoholic stimulants and tobacco upon the human system.

Mr. MARSHALL: I believe the people have a right to petition their representatives to carry out their views, and of all the subjects upon which we have received petitions this subject has had more in its favor. I don't think we ought to dodge an important question. Four years ago I voted for a constitutional amendment to submit this question to the people, because I believed it constitutionally right, morally right and politically right. No teacher does his duty unless he teaches his scholars the dire effects of alcoholic stimulants upon the system. I shall vote for this bill.

Mr. HILLIGASS: I was in favor of the first section of this bill, and of the amendment offered by the Senator from Hendricks (Mr. Weir). If it is proper and right to teach this subject in seventy counties, why not make it uniform throughout the State? Senators who oppose this bill say the effects of alcoholic stimulants are becoming more and more fatal to the State. If that be true, it is our highest duty to put in the hands of children information that will enable to shun its evil consequences and stay this tide of evil that is sweeping over the

land. We cannot evade the responsibility by refusing to allow the evil effects of those narcotics to be taught in the public schools.

Mr. WILLARD demanded the previous question.

The Senate refused to second the demand by yeas 20, nays 24.

PENDING THE ROLL-CALL.

Mr. McINTOSH said: If I understand it right, if the demand for the previous question is seconded and the Senate refuses to sustain the motion to strike the enacting clause from this bill, the bill will be carried to the engrossment without giving a chance to amend it. I therefore, vote "no."

Mr. THOMPSON said: I am in favor, in the abstract, of teaching morals in the public schools. I think it of the highest importance, and that we owe it to the children of the State, but this idea of making it a statute appears to me as not good policy. As it is I don't suppose there is a school in the Commonwealth but what the effects of alcohol is taught. The teacher that don't do it ought to be turned out. But this bill says it is not to be taught till next September. That that develops a job. There is probably some man who has a book that will be out about that time, and he expects the schools to adopt it. I vote "aye."

The vote was then announced as above.

The motion to strike out the enacting clause was also rejected by yeas 21, nays 23.

Pending the roll-call—

Mr. DUNCAN, of Brown, said: I am opposed to the bill, but I desire to see its friends receive fair treatment, and would like to meet that question squarely. Therefore I vote "aye."

Mr. FAULKNER: I want to explain my vote. While I want to give everybody a fair chance, I want to get rid of this sometime or other. Therefore I vote "aye."

Mr. MAY: I simply want to say that I am not in favor of this summary way of killing a bill in any legislative body. Therefore I vote "no."

Mr. McCLURE: All the explanation I have is that I wish to give the friends of this bill a fair chance, and I consequently vote "no."

Mr. McCLOUGH said: I am in favor of fair dealing, but I think this bill has had more than a fair chance—a great deal more than a fair chance. It had more discussion than it was entitled to before the motion to lay on the table was made. There are but ten or twelve days before the close of the session, and if we are going to discuss bills of this sort and are sort of great deal of important legislation must go over. The Senate should not spend hours and hours upon a bill they all have their minds made up on. An amendment to all the bills, and an unwilling to go on the record as opposed to it without any discussion. I vote "aye."

Mr. RAHM: The same reasons I gave when I made a motion to lay the bill on the table, are the same reasons I shall vote in this bill. But there is no use in no use in fooling away our time, and there is no chance to pass this bill here or in the other House. I vote "aye."

Mr. WEIR said: As the amendments I proposed show, I am opposed to some of the provisions, while the object of the bill I am in favor of. But there was no opportunity allowed to offer amendments, therefore I think the friends of this measure have not been treated in such a manner as they are entitled to upon a question of so much importance. Therefore I vote "no."

The bill was then announced as above.

Mr. WILLARD moved to indefinitely postpone the bill.

The motion was agreed to by yeas 24, nays 21.

AFTERNOON SESSION.

THE FISH COMMISSIONER.

Mr. FOWLER'S bill (S. 27) to repeal the act creating a Commissioner of Fisheries was read with a favorable and unfavorable committee report.

Mr. BAILEY moved to concur in the majority report.

Mr. FOWLER moved to amend by concurring in the minority report. I think this is a useless expenditure for carrying on a purpose that benefits no portion of the State and but few people in it.

The motion was rejected.

The majority report was concurred in.

STATE NORMAL SCHOOL APPROPRIATION.

Mr. SCHLOSS' bill (S. 39) to appropriate \$25,000 annually out of the school fund to the State Normal School, coming up on the second reading—

Mr. McINTOSH: I hope this bill will never become a law. There has been \$20,000 already set apart to the State Normal School. Now this appropriation is to set apart \$25,000 a year more. It is now enough.

Mr. FOWLER: I think this is a pernicious bill in principle. It is all wrong. This shows how the money is to be paid. It was never intended to divert money from the common school fund for any purpose. Let all such appropriations, if they must be made, be made out of the general fund.

Mr. SCHLOSS: The Trustees of the State Normal School find it impossible to pay the teachers, and the school is now indebted for borrowed money. The school is increasing in usefulness and numbers. There were 1,172 students last year. The school fund can not be diverted for a better purpose than to the Normal School. I hope the bill will pass.

Mr. MAGEE: I saw a large number of small children attending the Normal School. Are the teachers of such paid by the State?

Mr. SCHLOSS: The Normal pays part and the city of Terre Haute part of the salaries of these teachers.

Mr. YONDER: This seems to be pernicious legislation. When the Constitution was adopted there was no such thing as a State Normal School, and it can't be said that is a common school. The Constitution should be liberally construed, but the Constitution prescribes in Section 185 (Reads) that the income of the school fund shall be distributed to the several counties. How can Senators get around this provision in the Constitution, and say this fund shall be distributed to this or that institution?

Mr. CAMPBELL, of Hendricks: I differ from the opinion that this is a diversion of the money to the Normal School. I regard it in a different light from what I do the State University or Purdue University. I regard this State Normal School as part of the system of public schools and it is an institution of which we ought to be proud.

Mr. DAVIS: The General Appropriation Bill passed yesterday gives the State Normal School \$7,000.

Mr. WEIR called attention to a communication from the Governor in reference to the title to the grounds on which the State Normal School stands, and insisted we should know more about this before any further appropriations are made.

Mr. SCHLOSS: The committee has done its duty, and everything is in order, and the report of the committee will show all is right.

Mr. MAGEE: The proportionate amount of the school fund that should go for the instruction of children attending that school must be just. I doubt the constitutionality of an act that would divert money from the school fund for the education of teachers. I do not agree with the statement that the State Normal School is a part of the common school system of the State. I think there are about 800 children taught in the Normal School building, which is called a "model school." If the fund is used for common school purposes, it don't matter whether the children are taught in the Normal School building or elsewhere, so it is properly and justly applied. I am willing the portion of

County will give of this \$25,000 shall go to this bill proposed. Therefore, I am in favor of the passage of this bill.

Mr. DAVIS understands this bill would make the appropriation to the State Normal School some \$45,000 a year.

Mr. FOLKLE: There is a doubt about the constitutionality of the measure, and he moved the reference of the bill to the Judiciary Committee, with instructions to report to-morrow on that question. If the bill is constitutional I want to vote for it.

The motion was agreed to.

MONTHLY PAY TO COMPANY EMPLOYEES.

Mr. Weir's bill (S. 47—see page 38) to require corporations to pay employees in full in money at least once a month, was read the second time.

Mr. MAGEE knew no reason why individuals should not come under the provisions of this bill if its provisions be just. He moved so to amend. If such a bill were passed many corporations would go out of existence. This bill would be a great thing to be done that it is utterly impossible to do under certain circumstances.

Mr. BAILEY: We have in this large manufacturing establishments paying their men in store orders, and the men are compelled to take the supplies at a greater price than if they had lawful money; and sometimes these orders have to be sold by the men at a discount of sometimes 25 per cent. I shall favor the amendment but if it is defeated we should pass the bill. I refer Democratic members to their platform which says they will pass a bill that will secure the payment of wages in lawful money of the United States.

Mr. MAY: All the information I have of the bill is received from this discussion, for I have not read it, but I do know it would have a salutary effect in the locality where it is to be a law. The man who earns his living by his own hands is the best citizen in the State. This is a blow at a native institutions that will ruin them. There has not been a more pernicious piece of legislation attempted than this. The amendment means indirectly to defeat the bill. Corporations stand upon an entirely different plane from the individual. They have asked and obtained from the law-making power rights that private individuals have not, and the law-maker never can regulate their affairs as proposed in this bill. It is a false argument to say the Legislature shall take no control of them. The bill says, unless there is a specific contract to the contrary, the workmen shall be paid in full, in money. Every month the workman is to be paid. Give the corporation the month's credit they always take, and then compel them, under penalties, to pay what they justly owe. The day is at hand when the Legislature must take hold of these corporations and see that justice is done by them. There is nothing in this bill but what is reasonable and just.

Mr. SMITH, of Jennings: It is only the corporations that are doing business on credit that can complain of the provisions of this bill. There are a great many railroad corporations in this State doing business wholly on credit, and if workmen dare quit they are told they will be lawed to the end of time and will never get anything for bread they could not give. This bill ought to be a law. The man who earns his living by the sweat of his brow should be protected by the Legislature of Indiana. Owners of mines frequently pay their men in store script, payable only at the grocery owned by the corporation owning the mines, and the workmen have to take a greater price for the necessities of life than money would buy. It is to protect the working people that this bill has been reported favorably to the Senate.

Mr. MARSHALL: The labor question has often been mentioned on this floor. If we will enact this law, and the corporations will satisfy their employees, every month, it will be a great preventive of riot. I believe when corporations are properly managed they are an advantage to the State, but I believe they ought to deal out justice to the men they employ. A great deal of suffering in my country has been brought about by companies not paying their laborers. This bill will work no injustice to a corporation. I hope it will become a law.

Mr. WEIR said: I am going to discuss the bill somewhat, but as it is getting late, and if the bill can be disposed of this evening, it would abandon that intention.

Mr. McINTOSH presented a petition of 370 laboring men from his district on this subject. He said he had used the bill, and did not think these petitioners would object to its provisions.

Mr. MAGEE: I never was employed by a railroad corporation in my life, but I am a friend to corporations so long as they deal justly to the men they employ. If it be a law, it will lay a heavy and annoy corporations all over the State. It ought to be entitled "a bill to breed law suits." It is a pernicious and vicious measure.

The amendment (Mr. Magée's) was rejected.

The bill was ordered engrossed.

On motion by Mr. WEIR the bill was read the third time under a dispensation of the constitutional rule, and passed the Senate by yeas 30, nays 14.

Mr. DAVIS, explaining: This bill, if passed into a law, would very likely be detrimental to the interests of both the employer and the employee. I vote "no."

Mr. FOLKLE: I am informed that in different parts of the State a great deal of hardship is borne by employees that this bill will remedy. I vote "aye."

Mr. FOWLER: I represent some 3,000 miners, probably more than are in all the balance of the State, and these men working deep under the earth are constantly being defrauded out of their hard-earned toil. In every county wherever you find a mining shift or wherever a car of coal is taken out you will find a little grocery established for the purpose of furnishing groceries to the miners, and instead of paying them money they are paid in script, and they are obliged to pay from 10 to 15 per cent. more for their living. This bill proposes to remedy that great wrong, and that is the reason I vote "aye."

Mr. MAY: I also live in a coal mining and manufacturing region, but our people are paid regularly every month as a general thing in cash. So far as the bill grants a right to the miner to demand a cash payment in cash as it affects cooperative institutions I am opposed to it; therefore I vote "no."

Mr. WILLARD: With the amendment made by the Senator from Cass (Mr. Magée) changing the time from ten to thirty days, I think the bill is a great improvement. I think there should be placed in the hands of the laboring man an immediate remedy, but hoping the ten day clause will be put back in the House I vote "aye."

Mr. WINTER: I don't know that a railroad company or any other corporation has the right to make a forced loan on workmen and then discount their wages by paying them in grocery orders; therefore, I vote "aye."

The vote was then announced as above.

The bill passed the Senate.

The Senate adjourned till 9:30 o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

FRIDAY, Feb. 20, 1885—10 a. m.

BARRED WIRE FENCE.

Mr. FRAZEE'S bill (H. R. 486) to legalize barred wire fences, under a suspension of

the rules, was read the second and third time.

Mr. PATTER: I hope the bill will fail, as I desire a law that will define the legality of all kinds of fences.

Mr. SMITH, of Tippecanoe: The bill will hurt no other fence, but will merely legalize barred wire fences.

Mr. MOCK, of Wells: This bill does not touch a fence now built, but refers only to those to be built. It provides that the posts and wires must be just as so, and will necessitate the rebuilding of all wire fences now standing.

The bill passed by yeas 51, nays 41.

APPROPRIATION BILL.

On motion of Mr. WILLIAMS, the House resolved itself into committee of the whole.

Mr. Adams in the chair, and resumed consideration of the bill (H. R. 427) making appropriations for the State government.

Mr. DEEM moved to amend so that the sum of \$5,000, instead of \$2,000, be allowed the Public Mind Institution for allowance to the Superintendent and Trustees.

Mr. LOYD said the amendment should pass by all means.

Mr. BROWNING: This bill does not propose to help the institution, nor the inmates only to increase the salaries of the officers. These officers get not only their salaries, but have their families boarded, and that makes a handsome pay. There are men in Indiana now running after us, pulling the buttons from our coats, to get the position at the old salary.

Mr. DEEM: The law allows the three Trustees each \$500 per year, making \$1,500, and the Superintendent \$1,500, and your appropriation must be \$3,000 to be good for it. The amendment was adopted.

Mr. SAYRE offered an amendment providing that the Governor should have the power to remove, with or without cause, any officer or employee of the institution. He said: The recent investigation has disclosed a most outrageous scandal at that institution, yet no legislator has had courage to inquire into the matter, and the officials who have been badly abused their positions.

Mr. GOODING moved to amend the amendment by striking out the word "without."

Mr. HARRELL: It would look strange to have such an amendment put in an appropriation bill.

Mr. JEWETT: I am so heartily in favor of this amendment that I can not remain silent. I go further, and say that the Governor should have the power to remove from our public institutions any man, for cause. Every month the workman is to be paid. Give the corporation the month's credit they always take, and then compel them, under penalties, to pay what they justly owe. The day is at hand when the Legislature must take hold of these corporations and see that justice is done by them. There is nothing in this bill but what is reasonable and just.

On motion of Mr. SEARS, the committee rose, reported progress and asked leave to sit again at 10 o'clock to-morrow morning.

AFTERNOON SESSION.

A \$900,000 LOAN.

The bill (S. 196) to provide for a temporary loan of \$900,000, came up as a special order.

Mr. GORDON moved to amend, that none of the money be used in the erection of the Indiana Asylums at Logansport or Richmond.

On motion by Mr. TAYLOR, the amendment was laid on the table—yeas, 70; nays, 8.

Mr. GORDON moved to amend by stating from which fund the interest shall be paid.

Mr. SMITH, of Tippecanoe: Unless this amendment is really necessary it should not be passed, as it will cause the bill to go back to the Senate.

The amendment was adopted.

Mr. TAYLOR: I favor this bill because of the great necessity of it. We can't avoid it.

Mr. GOODING: I know I am in the minority. I have been so before; but there are those outside this House who are with me. I am not afraid to stand alone. There are many here who will speak after I do; they will speak from the rear. This money is to be borrowed to build the new Indiana Asylums, which are not needed. I am here to call a halt. This money will come from the sons of toil. Of course we borrow it, but it will become due, with interest, some day. And again this \$900,000 will not go far enough to pay the appropriations. If you continue as you are going before the close of this session it will take \$900,000 more. Let us show the country that the Democratic party meant it when it said it was in favor of retrenchment and reform.

Mr. MOODY spoke in favor of the passage of the bill.

Mr. BROWNLEE: The insane that will be taken from the county almshouses, and then relieve the counties of expenses, will more than pay for these asylums.

Mr. GORDON: I do not believe that this \$900,000 will meet the demand.

The bill passed—yeas, 82; nays, 1.

About 100 bushels of wood ashes per acre are a fair proportion to apply on light soils.

A cellar is not a good place in which to keep butter.

The Learned and Eminent Scholar, Adrew D. White, President of Cornell University, Ithaca, N. Y., writes under date December 2, 1884: "Long experience has taught my family to prize Pond's Extract very highly, and to regard it as one of the absolute necessities of house-keeping." Such testimony should induce all families to at least try Pond's Extract, an invaluable remedy for all pains and hemorrhages.

It has been estimated that more than one-half of the food consumed by farm animals in our winter months is required to keep up the natural heat.

Catarrh Cured

Catarrh is a very prevalent disease, with distressing and offensive symptoms. Hood's Sarsaparilla gives ready relief and speedy cure, from the fact it acts through the blood, and thus reaches every part of the system.

I suffered with catarrh fifteen years. Took Hood's Sarsaparilla and I am not troubled any with catarrh, and my general health is much better." I. W. LILLIS, Postal Clerk Chicago & St. Louis Railroad.

I suffered with catarrh 6 or 8 years; tried many wonderful cures, inhalers, etc., spending nearly one hundred dollars without benefit. I tried Hood's Sarsaparilla, and was greatly improved." M. A. ARNEY, Worcester, Mass.

Hood's Sarsaparilla is characterized by three peculiarities: 1st, the combination of remedial agents; 2d, the proportion; 3d, the process of securing the active medicinal qualities. The result is a medicine of unusual strength, effecting cures hitherto unknown. Send for book containing additional evidence.

"Hood's Sarsaparilla tones up my system, purifies my blood, sharpens my appetite, and sends me to make me over." J. M. THOMPSON, Rev. of Deeds, Lowell, Mass.

"Hood's Sarsaparilla beats all others, and is worth its weight in gold." I. BARKINGTON, 130 Bank Street, New York City.

Hood's Sarsaparilla Sold by all druggists. \$1; six for \$5. Made only by C. I. HOOD & CO., Lowell, Mass.

100 Doses One Dollar.

TEST YOUR BAKING POWDER TO-DAY.

Brands advertised as absolutely pure CONTAIN AMMONIA.

THE TEST: Place a few drops on a hot stove until heated, then remove the cover and smell. A chemical will not be repelled to detect the presence of ammonia.

DR. PRICE'S BAKING POWDER.

Does not contain ammonia.

THE TEST OF THE OVEN.

PRICE'S BAKING POWDER CO., MAKERS OF Dr. Price's Special Flowering Extracts.

For Light, Healthy Bread, The Best Dry Hop Yeast in the World.

DR. DAVID KENNEDY'S FAVORITE REMEDY.

ON THE ENGINE.

Running a Locomotive While Deathly Sick—Something the Passengers Did Not Know—A Physician Saves an Engineer.

Dr. David Kennedy, Rondout, N. Y.

DEAR SIR—I am an engineer on the Old Colony Railroad, and run the Fall River boat train between Fall River and Lowell, residing in Taunton. For ten years I suffered everything but death from dyspepsia. Often I had such blinding attacks that I could scarcely see. I think this was due partly to irregular habits of eating, and partly to the jar of the engine. Sometimes my head would spin like a top, and again I felt as big as a man's fist. My breath was very offensive, and my food soon after I ate it, I felt my stomach. In fact my stomach felt as though it was a great raw and sore surface, and every time I ate or drank, it would burn and sting.

In the summer and fall of 1876 when I had the heaviest central travel, the constant jar brought on acute attacks nearly every week, and I thought I should have to leave the road. But I kept at work until the next spring, when I grew so much worse that I could virtually eat nothing, and concluded that my labor and my life, too, were about over.

I remember that I had tried every medicine I heard of, and had been treated by some of the best physicians in Taunton and Lowell. At this critical time Dr. DAVID KENNEDY'S FAVORITE REMEDY was recommended to me. It was new to me, and with my experience of medicines, you can easily forgive me for saying that